

WEDNESDAY, MAY 23, 2001

FORTY-SECOND LEGISLATIVE DAY

The House met at 1:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Curtiss.

Representative Curtiss led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....98

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Stanley; business reasons.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 124: Rep(s). Hood as prime sponsor(s).

House Joint Resolution No. 440: Rep(s). Bowers and Bone as prime sponsor(s).

House Joint Resolution No. 453: Rep(s). Beavers as prime sponsor(s).

House Joint Resolution No. 454: Rep(s). Beavers as prime sponsor(s).

House Joint Resolution No. 455: Rep(s). Beavers as prime sponsor(s).

House Joint Resolution No. 456: Rep(s). Beavers as prime sponsor(s).

House Joint Resolution No. 457: Rep(s). Beavers as prime sponsor(s).

House Joint Resolution No. 458: Rep(s). Beavers as prime sponsor(s).

House Joint Resolution No. 459: Rep(s). Beavers as prime sponsor(s).

House Joint Resolution No. 461: Rep(s). Beavers as prime sponsor(s).

House Joint Resolution No. 462: Rep(s). Beavers as prime sponsor(s).

House Joint Resolution No. 463: Rep(s). Beavers as prime sponsor(s).

House Bill No. 1492: Rep(s). Todd as prime sponsor(s).

House Bill No. 1795: Rep(s). Black and S. Jones as prime sponsor(s).

MESSAGE FROM THE SENATE
May 22, 2001

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 298, 369, 370, 371, 372, 373, 374, 376, 378, 379, 380, 381, 382, 383, 384, 385, 386 and 387; all concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE
May 22, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 176; adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Joint Resolution No. 176** -- General Assembly, Directed Studies - Directs judicial council to study issues relative to providing district attorneys, public defenders, and clerks of court access to interpretation services in various languages. by *Henry, *Dixon.

MESSAGE FROM THE SENATE

May 22, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 21, 93, 228, 565, 633, 1087, 1088, 1378, 1788 and 1973; all passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Bill No. 21** -- Election Laws - Enacts "The 2000 Presidential Election Debacle Reform Bill of 2001." Amends TCA Title 2. by *Cohen, *Cooper J, *Cohen. (HB155 by *Kisber, *Jones U (Shelby))

***Senate Bill No. 93** -- Sunset Laws - Health facilities commission, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 11. by *Harper. (HB976 by *Kernell, *Brooks, *Cooper B)

***Senate Bill No. 228** -- Administrative Procedure (UAPA) - Revises from 10 days to 15 days when initial order issued in contested case under UAPA becomes final. Amends TCA Section 4-5-318. by *Crutchfield, *Blackburn. (HB280 by *Davidson)

Senate Bill No. 565 -- Corporations, For Profit - Increase from 11 months to one year time that appointment of proxy is effective. Amends TCA Title 48. by *Atchley. (*HB75 by *Tindell, *Odom, *Armstrong)

***Senate Bill No. 633** -- Taxes, Business - Clarifies that additional consideration received by dealer from lender for sale or assignment to lender of chattel lease or conditional sales contract is not within definition of "sales price" for purposes of business tax. Amends TCA Title 67. by *Clabough. (HB1281 by *Kisber)

***Senate Bill No. 1087** -- Domestic Violence - Conforms statute establishing conditions for release on bond for persons charged with domestic abuse offenses to latest definition of domestic abuse "victim". Amends TCA Section 40-11-150. by *Burks. (HB1142 by *McMillan)

***Senate Bill No. 1088** -- Domestic Violence - Requires notification to victim of domestic assault of release on bail of assault defendant and updates scope of order of protection to conform to present definition of domestic abuse "victim". Amends TCA Title 36, Chapter 3, Part 6. by *Burks, *Williams. (HB1149 by *McMillan)

Senate Bill No. 1378 -- Clerks, Court - Increases from \$40.00 to \$50.00 fee clerk may charge for expunging defendant's record upon dismissal of charges following defendant's completion of pre-trial or post-plea diversion. Amends TCA Title 6; Title 8; Title 16; Title 20; Title 36; Title 39; Title 40 and Title 67. by *Jackson. (*HB349 by *Buck)

***Senate Bill No. 1788** -- Building Commission, State - Authorizes commission to supervise projects involving improvement, demolition, acquisition, disposal, or lease of property by foundation created to benefit University of Tennessee or any institution of state university and community college system of Tennessee. Amends TCA Section 4-15-102. by *Henry. (HB1742 by *Kisber)

WEDNESDAY, MAY 23, 2001 – FORTY-SECOND LEGISLATIVE DAY

Senate Bill No. 1973 -- Taxes - Authorizes additional 2 percent rental car tax in any county that is building or modifying arena for National Basketball Association team. Amends TCA Title 67, Chapter 4, Part 19. by *Ford J. (*HB2006 by *Bowers)

**MESSAGE FROM THE GOVERNOR
May 22, 2001**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 321, 339 and 360, with his approval.

JAY BALLARD, Counsel to the Governor.

**MESSAGE FROM THE SENATE
May 22, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 344 and 348; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE
May 22, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 114, 117, 346, 582, 1722 and 1887; for the signature of the Speaker.

RUSSELL A. HUMPHREY Chief Clerk.

**SIGNED
May 22, 2001**

The Speaker signed the following: Senate Bill(s) No(s). 114, 117, 346, 582, 1722, 1887; also, Senate Joint Resolution(s) No(s). 344 and 348.

**ENROLLED BILLS
May 22, 2001**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 70, 623, 746, 991, 1133, 1242, 1402, 1651, 1896, also, House Joint Resolution(s) No(s). 151, 298, 369, 370, 371, 372, 373, 374, 376, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387 and 441.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
May 22, 2001

The Speaker signed the following: House Bill(s) No(s). 70, 623, 746, 991, 1133, 1242, 1402, 1651, 1896; also, House Joint Resolution(s) No(s). 151, 298, 369, 370, 371, 372, 373, 374, 376, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387 and 441.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
May 22, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 70, 623, 746, 991, 1133, 1242, 1402, 1651, 1896; also, House Joint Resolution(s) No(s). 151, 298, 369, 370, 371, 372, 373, 374, 376, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387 and 441; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
May 22, 2001

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 70, 623, 746, 991, 1133, 1242, 1402, 1651, 1896; also, House Joint Resolution(s) No(s). 151, 298, 369, 370, 371, 372, 373, 374, 376, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387 and 441.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
May 23, 2001

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 527.

The Senate nonconcurred in House Amendment(s) No(s). 5.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE
May 23, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 871; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Bill No. 871 -- Abuse - Creates pilot in county of over 825,000 population to establish child protective system; requires department of mental health and developmental disabilities to establish pilot mental health court. Amends TCA Title 9; Title 33 and Title 37. by *Dixon. (*HB583 by *Chumney)

CONSENT CALENDAR
May 22, 2001

The following local bills have been placed on the Consent Calendar for **May 23, 2001**:
House Bill(s) No(s). 2015.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Rep. Ridgeway was recognized in the Well to introduce Merle Kilgore, for remarks.

RESOLUTION READ

The Clerk read House Joint Resolution No. 292.

House Joint Resolution No. 292 -- Memorials, Recognition - Merle Kilgore. by
*Ridgeway, *Shepard.

RECOGNITION IN THE WELL

Rep. Lois DeBerry was recognized in the well to introduce the 2001 Interns of the House
of Representatives.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and
referred to the appropriate Committee:

***House Joint Resolution No. 425** -- Highway Signs - "Pfc. Dave C. Hinkle Memorial
Bridge," State Route 44 in Sullivan County. by *Mumpower, *Godsey.

House Finance, Ways and Means Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on
the Consent Calendar for May 24, 2001:

House Joint Resolution No. 474 -- Memorials, Retirement - Jim Travis, Political
Correspondent, WSMV-TV. by *Ridgeway, *Shepard, *Buck, *Pinion, *Maddox, *White,
*Fitzhugh.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

***Senate Joint Resolution No. 176** -- General Assembly, Directed Studies - Directs judicial council to study issues relative to providing district attorneys, public defenders, and clerks of court access to interpretation services in various languages. by *Henry, *Dixon.

House Finance, Ways and Means Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2017 -- Jackson - Subject to local approval, creates Jackson Energy Authority. Amends Chapter 407 of the Acts of 1909. by *Kisber, *Shaw.

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 2018 and 2020, was/were referred to the Delayed Bills Committee.

***House Bill No. 2018** -- Telecommunications - Redefines "telephone solicitation"; specifies that telephone requests for charitable contributions must be made by bona fide member, volunteer, or direct employee of non-profit organization. Amends TCA Section 65-4-401. by *Kisber.

***House Bill No. 2020** -- Utilities, Utility Districts - Deletes current statutory requirement for customer election to approve increased per diem for commissioners of water and sewer utility district in Scott County. Amends TCA Section 7-82-308(f). by *Winningham. (SB1986 by *Davis L)

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 21** -- Election Laws - Enacts "The 2000 Presidential Election Debacle Reform Bill of 2001." Amends TCA Title 2. by *Cohen, *Cooper J, *Cohen. (HB155 by *Kisber, *Jones U (Shelby))

***Senate Bill No. 93** -- Sunset Laws - Health facilities commission, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 11. by *Harper. (HB976 by *Kernell, *Brooks, *Cooper B)

***Senate Bill No. 228** -- Administrative Procedure (UAPA) - Revises from 10 days to 15 days when initial order issued in contested case under UAPA becomes final. Amends TCA Section 4-5-318. by *Crutchfield, *Blackburn. (HB280 by *Davidson)

WEDNESDAY, MAY 23, 2001 – FORTY-SECOND LEGISLATIVE DAY

Senate Bill No. 565 -- Corporations, For Profit - Increase from 11 months to one year time that appointment of proxy is effective. Amends TCA Title 48, by *Atchley. (*HB75 by *Tindell, *Odom, *Armstrong)

***Senate Bill No. 633** -- Taxes, Business - Clarifies that additional consideration received by dealer from lender for sale or assignment to lender of chattel lease or conditional sales contract is not within definition of "sales price" for purposes of business tax. Amends TCA Title 67, by *Clabough. (HB1281 by *Kisber)

***Senate Bill No. 1087** -- Domestic Violence - Conforms statute establishing conditions for release on bond for persons charged with domestic abuse offenses to latest definition of domestic abuse "victim". Amends TCA Section 40-11-150, by *Burks. (HB1142 by *McMillan)

***Senate Bill No. 1088** -- Domestic Violence - Requires notification to victim of domestic assault of release on bail of assault defendant and updates scope of order of protection to conform to present definition of domestic abuse "victim". Amends TCA Title 36, Chapter 3, Part 6, by *Burks, *Williams. (HB1149 by *McMillan)

Senate Bill No. 1378 -- Clerks, Court - Increases from \$40.00 to \$50.00 fee clerk may charge for expunging defendant's record upon dismissal of charges following defendant's completion of pre-trial or post-plea diversion. Amends TCA Title 6; Title 8; Title 16; Title 20; Title 36; Title 39; Title 40 and Title 67, by *Jackson. (*HB349 by *Buck)

***Senate Bill No. 1788** -- Building Commission, State - Authorizes commission to supervise projects involving improvement, demolition, acquisition, disposal, or lease of property by foundation created to benefit University of Tennessee or any institution of state university and community college system of Tennessee. Amends TCA Section 4-15-102, by *Henry. (HB1742 by *Kisber)

Senate Bill No. 1973 -- Taxes - Authorizes additional 2 percent rental car tax in any county that is building or modifying arena for National Basketball Association team. Amends TCA Title 67, Chapter 4, Part 19, by *Ford J. (*HB2006 by *Bowers)

REPORTS FROM STANDING COMMITTEES

The committees that met on **May 22, 2001**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **May 23, 2001**: House Bill(s) No(s). 1598, 1169, 1170, 583, 931, 1618, 1492 and 1765.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **May 23, 2001**: House Bill(s) No(s). 280, 957, 1775, 1149 and 1142.

EDUCATION

The Education Committee recommended for passage: House Joint Resolution(s) No(s). 83. Under the rules, each was transmitted to the Calendar and Rules Committee.

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 1375, 712, 1328, 830, 779, 1173, 1909, 1326, 1987, 1590, 474, 1403, 1802, 817, 135, 1030, House Resolution(s) No(s). 62, 119, House Joint Resolution(s) No(s). 52, 34, Senate Joint Resolution(s) No(s). 153, 155 and 134, also House Bill(s) No(s). 1926, 1599, 1582, 1273, 607, 888, 69, 349, 895, 884, 655, 1778, House Joint Resolution(s) No(s). 286 and 327 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **May 23, 2001**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Supplemental Regular Calendar for May 23, 2001**: House Bill(s) No(s). 1778, House Joint Resolution(s) No(s). 52, House Bill(s) No(s). 147 and 1795.

The Committee also set the following bill(s) on the **Regular Calendar for May 24, 2001**: House Bill(s) No(s). 1582, 1590, House Joint Resolution(s) No(s). 34, 144, House Bill(s) No(s). 655, 1273, 779, 884, 135, 888, House Joint Resolution(s) No(s). 286, House Bill(s) No(s). 830, 1375, House Joint Resolution(s) No(s). 327, House Bill(s) No(s). 712, 1599, 474, 1173, 69, 349, 895, 817, 1328 and 1326.

The Committee further reports that it set the following bill(s) and/or resolution(s) on the **Consent Calendar for May 24, 2001**: House Resolution(s) No(s). 62, House Bill(s) No(s). 1403, 1909, 1030 and Senate Joint Resolution(s) No(s). 153.

JUDICIARY

The Judiciary Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1555, 1168; also House Bill(s) No(s). 1217 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CONSENT CALENDAR

House Resolution No. 123 -- Memorials, Death - William Ponder Adkins. by *Head, *McMillan.

House Joint Resolution No. 436 -- Memorials, Academic Achievement - Lashandra Johnson, Salutatorian, Oakhaven High School. by *Bowers.

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House Joint Resolution No. 437 -- Memorials, Academic Achievement - Rory Green, Valedictorian, Oakhaven High School. by *Bowers.

House Joint Resolution No. 438 -- Memorials, Academic Achievement - Barbara Lynn Paxson, Valedictorian, Wooddale High School. by *Bowers.

House Joint Resolution No. 439 -- Memorials, Academic Achievement - Lisa Michelle Hagan, Salutatorian, Wooddale High School. by *Bowers.

House Bill No. 2015 -- Livingston - Subject to local approval, provides for aldermen to be elected at-large in local election. Amends Chapter 130 of the Acts of 1907; as amended. by *Windle. (SB1981 by *Davis L)

House Bill No. 280 -- Administrative Procedure (UAPA) - Revises from 10 days to 15 days when initial order issued in contested case under UAPA becomes final. Amends TCA Section 4-5-318. by *Davidson. (*SB228 by *Crutchfield, *Blackburn)

On motion, House Bill No. 280 was made to conform with **Senate Bill No. 228**; the Senate Bill was substituted for the House Bill.

House Bill No. 957 -- Sunset Laws - Tennessee corrections institute, board of control, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 41, Chapter 7. by *Kernell, *Brooks, *Cooper B. (*SB97 by *Harper)

On motion, House Bill No. 957 was made to conform with **Senate Bill No. 97**; the Senate Bill was substituted for the House Bill.

House Bill No. 1775 -- Tennessee Bureau of Investigation - Confers upon TBI jurisdiction to investigate all cases of fraud against Social Security Administration Title II and Title XVI disability programs without request from district attorney general. Amends TCA Section 38-6-102. by *McMillan. (*SB1744 by *Jackson, *Haynes)

On motion, House Bill No. 1775 was made to conform with **Senate Bill No. 1744**; the Senate Bill was substituted for the House Bill.

House Bill No. 1149 -- Domestic Violence - Requires notification to victim of domestic assault of release on bail of assault defendant and updates scope of order of protection to conform to present definition of domestic abuse "victim". Amends TCA Title 36, Chapter 3, Part 6. by *McMillan. (*SB1088 by *Burks, *Williams)

On motion, House Bill No. 1149 was made to conform with **Senate Bill No. 1088**; the Senate Bill was substituted for the House Bill.

House Bill No. 1142 -- Domestic Violence - Conforms statute establishing conditions for release on bond for persons charged with domestic abuse offenses to latest definition of domestic abuse "victim". Amends TCA Section 40-11-150. by *McMillan. (*SB1087 by *Burks)

On motion, House Bill No. 1142 was made to conform with **Senate Bill No. 1087**; the Senate Bill was substituted for the House Bill.

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House Bill No. 2014 -- Shelby County - Subject to local approval, includes as authorized use of funds from hotel/motel tax payment of bonded indebtedness, including expenses from sale of bonds, for construction or modification of sports facility. Amends Chapter 131 of the Private Acts of 1969. by *Bowers, *Miller L, *DeBerry J, *Turner (Shelby), *Towns, *Todd, *Cooper B, *DeBerry L, *Scroggs, *Pleasant, *Kent, *Stanley, *Brooks, *Hargett, *Kernell, *Chumney, *Jones U (Shelby). (SB1979 by *Ford J, *Dixon, *Kyle, *Cohen, *Norris, *Person)

Senate Joint Resolution No. 280 -- Memorials, Academic Achievement - Chastidy Wilson, Sevier County High School, Valedictorian. by *Clabough.

Senate Joint Resolution No. 281 -- Memorials, Academic Achievement - Kacie Flynn, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 282 -- Memorials, Academic Achievement - Benjamin Delbert Marsee, Valedictorian, Cookeville High School. by *Burks.

Senate Joint Resolution No. 283 -- Memorials, Academic Achievement - Anna Marie Hollman, Salutatorian, Cookeville High School. by *Burks.

Senate Joint Resolution No. 284 -- Memorials, Academic Achievement - Lori Ann Presley, Valedictorian, Monterey High School. by *Burks.

Senate Joint Resolution No. 285 -- Memorials, Academic Achievement - Daniel Michael Bailey, Salutatorian, Monterey High School. by *Burks.

Senate Joint Resolution No. 286 -- Memorials, Academic Achievement - Jonathan Ryan Medley, Valedictorian, Upperman High School. by *Burks.

Senate Joint Resolution No. 287 -- Memorials, Academic Achievement - Autumn Lee Brown, Salutatorian, Upperman High School. by *Burks.

Senate Joint Resolution No. 288 -- Memorials, Academic Achievement - Timothy Chad Huddleston, Salutatorian, Upperman High School. by *Burks.

Senate Joint Resolution No. 289 -- Memorials, Academic Achievement - Erin Paige Davenport, Valedictorian, Cannon County High School. by *Burks.

Senate Joint Resolution No. 290 -- Memorials, Academic Achievement - Teresa Marie Pickering, Salutatorian, Cannon County High School. by *Burks.

Senate Joint Resolution No. 291 -- Memorials, Academic Achievement - Debbie Thrasher, Valedictorian, Celina High School. by *Burks.

Senate Joint Resolution No. 292 -- Memorials, Academic Achievement - Terri Jo Kendall, Salutatorian, Celina High School. by *Burks.

Senate Joint Resolution No. 293 -- Memorials, Academic Achievement - Kayla Cherry, Valedictorian, Hermitage Springs High School. by *Burks.

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Senate Joint Resolution No. 294 -- Memorials, Academic Achievement - Leslie Biles, Salutatorian, Hermitage Springs High School. by *Burks.

Senate Joint Resolution No. 295 -- Memorials, Academic Achievement - Carol White, Valedictorian, Coffee County Central High School. by *Burks.

Senate Joint Resolution No. 296 -- Memorials, Academic Achievement - Lora Cotten, Salutatorian, Coffee County Central High School. by *Burks.

Senate Joint Resolution No. 297 -- Memorials, Academic Achievement - David Allen Hill, Valedictorian, DeKalb County High School. by *Burks.

Senate Joint Resolution No. 298 -- Memorials, Academic Achievement - Erica Nicole Corley, Salutatorian, DeKalb County High School. by *Burks.

Senate Joint Resolution No. 299 -- Memorials, Academic Achievement - Christopher Lee Petty, Valedictorian, Jackson County High School. by *Burks.

Senate Joint Resolution No. 300 -- Memorials, Academic Achievement - Beauregard Michael Smith, Salutatorian, Jackson County High School. by *Burks.

Senate Joint Resolution No. 301 -- Memorials, Academic Achievement - Andy Asberry, Valedictorian, Pickett County High School. by *Burks.

Senate Joint Resolution No. 302 -- Memorials, Academic Achievement - Tony Poore, Salutatorian, Pickett County High School. by *Burks.

Senate Joint Resolution No. 303 -- Memorials, Academic Achievement - Hayley West, Valedictorian, Macon County High School. by *Burks.

Senate Joint Resolution No. 304 -- Memorials, Academic Achievement - Daniel Cook, Salutatorian, Macon County High School. by *Burks.

Senate Joint Resolution No. 305 -- Memorials, Academic Achievement - Leslie Holland, Valedictorian, Red Boiling Springs High School. by *Burks.

Senate Joint Resolution No. 306 -- Memorials, Academic Achievement - Leslie Gilliam, Salutatorian, Red Boiling Springs High School. by *Burks.

Senate Joint Resolution No. 307 -- Memorials, Congratulations - Top Gun Cheerleading Academy, four national championships. by *Ramsey.

Senate Joint Resolution No. 308 -- Memorials, Interns - Derek Kenneth Stevens. by *Person, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsa, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Person, *Norris, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams.

Senate Joint Resolution No. 309 -- Memorials, Recognition - Peter Gregory Juetten. by *Person.

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Senate Joint Resolution No. 311 -- Memorials, Interns - Christopher J. Ing. by *Miller J, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams.

Senate Joint Resolution No. 312 -- Memorials, Death - Judge James Curwood Witt, Sr. by *Miller J.

Senate Joint Resolution No. 313 -- Memorials, Death - Curtis B. Atchley, Sr. by *Wilder, *Clabough, *Burchett, *McNally, *Elsea, *Person, *Norris, *Williams, *Miller J, *Ramsey, *Blackburn, *Fowler, *Crowe, *Haun, *Carter, *Atchley, *Burks, *Cohen, *Cooper J, *Crutchfield, *Davis L, *Dixon, *Ford J, *Graves, *Harper, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *Rochelle, *Trail, *Wilder.

Senate Joint Resolution No. 314 -- Memorials, Academic Achievement - Nathaniel Cleaves, Valedictorian, Westside High School. by *Kyle.

Senate Joint Resolution No. 315 -- Memorials, Academic Achievement - Sabrina H. Wein, Salutatorian, Westside High School. by *Kyle.

Senate Joint Resolution No. 316 -- Memorials, Academic Achievement - Sharon T. Agnew, Valedictorian, Gatlinburg Pittman High School. by *Clabough.

Senate Joint Resolution No. 317 -- Memorials, Death - Jeffrey W. Combos. by *Haynes, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams.

Senate Joint Resolution No. 318 -- Memorials, Academic Achievement - Chris Buckner, Salutatorian, Gatlinburg-Pittman High School. by *Clabough.

Senate Joint Resolution No. 319 -- Memorials, Personal Occasion - Susan Elizabeth Deakins and Jay Sims Quaintance, wedding. by *Crowe.

Senate Joint Resolution No. 320 -- Memorials, Death - Reverend John Allison. by *Henry, *Haynes, *Cohen.

Senate Joint Resolution No. 321 -- Memorials, Death - Mary Jane Werthan. by *Henry, *Herron, *Haynes, *Harper.

Senate Joint Resolution No. 322 -- Memorials, Retirement - Beecher W. Frasier, Jr. by *Davis L, *Herron, *Cohen.

Senate Joint Resolution No. 323 -- Memorials, Academic Achievement - Valerie Helton, Salutatorian, Oakdale High School. by *Davis L.

Senate Joint Resolution No. 324 -- Memorials, Congratulations - Patrick Powell, 2000 Junior National Pistol Championship. by *Davis L.

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Senate Joint Resolution No. 325 -- Memorials, Academic Achievement - Jonathan Ben Laymance, Co-Valedictorian, Central High School. by *Davis L.

Senate Joint Resolution No. 326 -- Memorials, Academic Achievement - Billy Wayne Garrett, III, Valedictorian, Central High School. by *Davis L.

Senate Joint Resolution No. 327 -- Memorials, Academic Achievement - Julie Michelle Lassiter, Valedictorian, Oakdale High School. by *Davis L.

Senate Joint Resolution No. 328 -- Memorials, Academic Achievement - Jessica Baskin, Salutatorian, Sunbright School. by *Davis L.

Senate Joint Resolution No. 329 -- Memorials, Academic Achievement - Corrine Leann Vitek, Valedictorian, Central High School. by *Davis L.

Senate Joint Resolution No. 330 -- Memorials, Academic Achievement - Jordan Leigh Dyer, Valedictorian, Central High School. by *Davis L.

Senate Joint Resolution No. 331 -- Memorials, Academic Achievement - Haley Leann McCoy, Co-Valedictorian, Central High School. by *Davis L.

Senate Joint Resolution No. 332 -- Memorials, Academic Achievement - Kristina Mozelle Silvey, Valedictorian, Coalfield School. by *Davis L.

Senate Joint Resolution No. 333 -- Memorials, Academic Achievement - Barney Colt Jackson, Salutatorian, Coalfield School. by *Davis L.

Senate Joint Resolution No. 334 -- Memorials, Academic Achievement - Nathan Henderson, Highest Honors, Sunbright School. by *Davis L.

Senate Joint Resolution No. 335 -- Memorials, Academic Achievement - Averill Chaney, Valedictorian, Sunbright School. by *Davis L.

Senate Joint Resolution No. 336 -- Memorials, Academic Achievement - Stephanie Renee Bradshaw, Valedictorian, Central High School. by *Davis L.

Senate Joint Resolution No. 337 -- Memorials, Academic Achievement - Leslie Denise Stevens, Valedictorian, Wartburg Central High School. by *Davis L.

Senate Joint Resolution No. 338 -- Memorials, Academic Achievement - Natalie Lynn Stewart, Valedictorian, Wartburg Central High School. by *Davis L.

Senate Joint Resolution No. 339 -- Memorials, Academic Achievement - Margo Dirkson, Salutatorian, Trousdale County High School. by *Rochelle, *Harper.

Senate Joint Resolution No. 340 -- Memorials, Academic Achievement - Jason Evitts, Valedictorian, Trousdale County High School. by *Rochelle.

Senate Joint Resolution No. 341 -- Memorials, Academic Achievement - Brian Casy Longford, Salutatorian, Gordonsville High School. by *Rochelle.

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Senate Joint Resolution No. 342 -- Memorials, Professional Achievement - Allen Ramsey, Tennessee Grand Champion Auctioneer. by *Ramsey.

Senate Joint Resolution No. 349 -- Memorials, Professional Achievement - Ernie Roberts, Knox County's High School Teacher of the Year. by *Burchett, *Atchley, *McNally.

Senate Joint Resolution No. 350 -- Memorials, Academic Achievement - Paul Allen Lee, Graduation from Harpeth High School. by *Jackson, *Kurita.

Rep. Buttry moved that all members of the Knox County delegation voting aye on Senate Joint Resolution No. 349 be added as sponsors, which motion prevailed.

Rep. Williams moved that all members voting aye on Senate Joint Resolution(s) No(s). 313 and 317 be added as sponsors, which motion prevailed.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 2014: by Rep. Churney

Under the rules, House Bill(s) No(s). 2014 was/were placed at the foot of the calendar for May 24, 2001.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	97
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Churney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

Representatives present and not voting were: Pinion -- 1.

A motion to reconsider was tabled.

SPECIAL ORDER

Without objection, on motion of Rep. Davidson, and seconded by Rep. McDaniel, the House took up the Supplemental Regular Calendar out of order.

SUPPLEMENTAL REGULAR CALENDAR

House Bill No. 1778 -- Taxes - Increases state sales tax by one-half cent effective July 1, 2001; repeals all state taxes effective July 1, 2003. Amends TCA Title 3; Title 4; Title 7; Title 8; Title 9; Title 11; Title 16; Title 18; Title 20; Title 29; Title 30; Title 31; Title 32; Title 35; Title 36; Title 38; Title 39; Title 40; Title 43; Title 45; Title 47; Title 48; Title 49; Title 50; Title 54; Title 55; Title 56; Title 57; Title 60; Title 61; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 70 and Title 71. by *Rinks, *Fitzhugh. (*SB348 by *Cooper J, *Clabough)

On motion, House Bill No. 1778 was made to conform with **Senate Bill No. 348**; the Senate Bill was substituted for the House Bill.

Rep. Rinks moved that Senate Bill No. 348 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 348 by deleting Sections 1, 2, 3, and 4 of the printed bill in their entirety.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1, which motion prevailed by the following vote:

Ayes	92
Noes	4
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Brooks, Davis (Washington), Overbey, Rhinehart -- 4.

Representatives present and not voting were: Godsey -- 1.

A motion to reconsider was tabled.

Rep. Kisber moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 348 By deleting Sections 14, 15, 16, 17, and 18 of the printed bill in their entirety.

AND FURTHER AMEND, by adding at the end of Section 226 of the printed bill the following:

Provided, however, that the effective date of any provisions in conflict with Section 9-9-111 shall be postponed until all general obligation debt outstanding issued under the provisions of Title 9, Chapter 9, as of June 30, 2003, has been redeemed.

On motion, Amendment No. 2 was adopted.

Rep. Newton moved the previous question, which motion prevailed by the following vote:

Ayes69
Noes23

Representatives voting aye were: Armstrong, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Buck, Buttry, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Head, Hood, Johnson, Jones S, Jones U, Kent, Kisber, Langster, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Scroggs, Shaw, Shepard, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Mr. Speaker Naifeh -- 69.

Representatives voting no were: Arriola, Baird, Beavers, Black, Brown, Bunch, Clem, DeBerry J, Dunn, Ferguson, Godsey, Goins, Hagood, Hargett, Harwell, Lewis, Rhinehart, Rowland, Sargent, Sharp, Towns, Turner (Shelby), Wood -- 23.

Rep. Rinks moved that **Senate Bill No. 348**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes87
Noes9
Present and not voting1

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Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Hagood, Hargett, Hargrove, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Davidson), Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 87.

Representatives voting no were: Beavers, Clem, Davis (Washington), Godsey, Goins, Mumpower, Rhinehart, Rowland, Vincent -- 9.

Representatives present and not voting were: Harwell -- 1.

A motion to reconsider was tabled.

SUPPLEMENTAL REGULAR CALENDAR, CONTINUED

***House Joint Resolution No. 52** -- General Assembly, Directed Studies - Directs department of environment and conservation to conduct study relative to public safety and health risks associated with gasoline additive, methyl tertiary butyl ether (MTBE). by *Odom.

Rep. Odom moved that House Joint Resolution No. 52 be adopted.

Rep. Garrett moved adoption of Conservation and Environment Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 52 by deleting all language, including the caption, of the introduced resolution and by substituting instead the following language:

A RESOLUTION directing the Department of Environment and Conservation to conduct a study relative to the public safety and health risks associated with gasoline constituents and additives.

WHEREAS, the General Assembly and the Department of Environment and Conservation both want Tennesseans to have clean water, clean air and an environment free of toxic or otherwise harmful agents for present and future generations; and

WHEREAS, there are a number of constituents of, and additives to, gasoline that may pose risks to the environment, including but not limited to methyl tertiary butyl ether (MTBE); and

WHEREAS, studies of some of these constituents and additives have already been conducted in other jurisdictions and others are worthy of study; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That the Department of Environment and Conservation is hereby directed to conduct a study relative to the various public safety and health risks associated with gasoline constituents and additives, and especially the threat that these substances pose to Tennessee's groundwater supply and consequently the state's drinking water supply. The scope and detail of this study shall be determined by the department, subject to available resources.

BE IT FURTHER RESOLVED, That in conducting such study, the Department of Environment and Conservation shall review and evaluate and conduct additional studies it determines are warranted relative to gasoline constituents and additives and the threat they pose to Tennessee's groundwater supply and consequently the state's drinking water supply.

BE IT FURTHER RESOLVED, That an enrolled copy of this resolution be transmitted to the Commissioner of Environment and Conservation.

On motion, Conservation and Environment Committee Amendment No. 1 was adopted.

Rep. Odom moved that **House Joint Resolution No. 52**, as amended, be adopted, which motion prevailed by the following vote:

Ayes	92
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Rhinehart -- 1.

A motion to reconsider was tabled.

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***House Bill No. 147** -- Public Health - Prohibits use of treated ash aggregate (TAA) in residential areas (occupied or unoccupied). Amends TCA Title 68, by *Odom. (SB667 by *Jackson)

Rep. Odom moved that House Bill No. 147 be reset for the Regular Calendar on May 31, 2001, which motion prevailed.

BILL RETURNED

Rep. Odom moved that House Bill No. 147 be returned to the Senate, which motion prevailed.

SUPPLEMENTAL REGULAR CALENDAR, CONTINUED

House Bill No. 1795 -- Nurses, Nursing - Authorizes board of nursing to enter into agreements to evaluate demand, distribution, and availability of nurses in Tennessee. Amends TCA Title 63, Chapter 7, by *Odom. (*SB1762 by *Kurita)

On motion, House Bill No. 1795 was made to conform with **Senate Bill No. 1762**; the Senate Bill was substituted for the House Bill.

Rep. Odom moved that **Senate Bill No. 1762** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives present and not voting were: Rhinehart -- 1.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 1742 -- Building Commission, State - Authorizes commission to supervise projects involving improvement, demolition, acquisition, disposal, or lease of property by foundation created to benefit University of Tennessee or any institution of state university and community college system of Tennessee. Amends TCA Section 4-15-102. by *Kisber. (*SB1788 by *Henry)

Further consideration of House Bill No. 1742 previously considered on April 12, 2001, April 26, 2001, May 3, 2001, May 7, 2001 and May 14, 2001, at which time it was reset for today's Calendar.

On motion, House Bill No. 1742 was made to conform with **Senate Bill No. 1788**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that Senate Bill No. 1788 be passed on third and final consideration.

Rep. Curtiss moved the previous question, which motion prevailed.

Rep. Kisber moved that **Senate Bill No. 1788** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from not voting to yes on Senate Bill No. 1788 and have this statement entered in the Journal: Rep(s). Brooks.

REGULAR CALENDAR, CONTINUED

***Senate Bill No. 987** -- Fiscal Review Committee - Requires staff of fiscal review committee to prepare statement for each general bill that mandates coverage of health insurance benefits; statement to include cost impact to individual policy holder or enrollee in managed health care plan and insurer, stating reasons if no estimate can be given. Amends TCA Title 3, Chapter 2, Part 1. by *Kurita. (HB1255 by *Head, *Newton)

Further consideration of Senate Bill No. 987 previously considered on May 14, 2001 and May 16, 2001, at which time the Senate Bill was substituted for the House Bill, the House adopted Amendment(s) No(s). 1 and reset the bill for today's Calendar.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

Rep. Odom moved that Senate Bill No. 987 be reset for the Regular Calendar on May 31, 2001, which motion prevailed.

Senate Bill No. 1789 -- Aged Persons - Revises duties of commission on aging to include services to disabled persons; increases membership of commission to include executive director of Tennessee Developmental Council. Amends TCA Title 71, Chapter 2. by *Harper, *Trail, *Burchett, *Burks. (*HB1624 by *Kernell, *Cooper B, *Pruitt, *Patton, *Odom, *Davis (Washington), *Montgomery, *Bowers, *Arriola)

Further consideration of Senate Bill No. 1789 previously considered on May 14, 2001 and May 16, 2001 at which time the Senate Bill was substituted for the House Bill and the bill was reset for today's Calendar.

Rep. Kernell moved that Senate Bill No. 1789 be reset for the Regular Calendar on May 30, 2001, which motion prevailed.

House Bill No. 526 -- Child Custody and Support - Permits any grandparent to petition for visitation; court must determine danger of substantial harm to child and, if such danger is present, determine whether such visitation is in best interests of child. Amends TCA Title 36, Chapter 6, Part 3. by *Chumney, *Patton, *Garrett, *Boyer. (*SB397 by *Haynes)

Further consideration of House Bill No. 526 previously considered on May 7, 2001, May 9, 2001 and May 16, 2001, at which time it was reset for today's Calendar.

Rep. Arriola moved that House Bill No. 526 be reset for the Regular Calendar on July 12, 2001, which motion prevailed.

***House Bill No. 1395** -- Labor - Classifies child labor law violations in regard to minor under age 14 and youth peddling as Class D felonies; authorizes fine of \$1,000 to \$10,000 for hiring minor under 14; removes baptismal certificate as proof of age for minor in employment. by *Baird, *McDaniel. (SB1672 by *Clabough, *Atchley)

Further consideration of House Bill No. 1395 previously considered on May 17, 2001, at which time it was reset for today's Calendar.

On motion, House Bill No. 1395 was made to conform with **Senate Bill No. 1672**; the Senate Bill was substituted for the House Bill.

Rep. Baird moved that Senate Bill No. 1672 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1672 By deleting in its entirety all the language following the enacting clause and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 50-5-103, is amended by adding the following new sentence at the end of the section:

Any person who violates the provisions of this section commits a Class D felony.

SECTION 2. Tennessee Code Annotated, Section 50-5-109, is amended by deleting the section in its entirety and by substituting instead the following new language:

Before any minor may be employed or continue to be employed in connection with any gainful occupation, the employer shall require proof of the age of the minor employee or prospective employee by requiring the minor to provide the employer with a copy of the minor's birth certificate, passport, driver's license or state issued identification. If such evidence is not available, the parents or guardian shall appear with the minor before the judge or other officer of the juvenile court of the county in which the minor resides and shall make an oath as to the age of the minor.

SECTION 3. Tennessee Code Annotated, Section 50-5-111(1)(B), is amended in the first paragraph by deleting the language "50-5-109(b)" and substituting instead the language "50-5-109".

SECTION 4. Tennessee Code Annotated, Section 50-5-112(a), is amended by deleting the words "Any employer" at the beginning of the first sentence and by substituting instead the language "Except as provided in §50-5-103, any employer" and by deleting the second sentence in its entirety and substituting instead the following language:

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Further, at the discretion of the commissioner, the employer shall be subject to a civil penalty of not less than one hundred fifty dollars (\$150) nor more than one thousand dollars (\$1,000) for each instance of an employer's violation of this chapter.

SECTION 5. Tennessee Code Annotated, Section 50-5-112, is amended by adding the following language as a new subsection (f):

(f) Any person who violates the youth peddling provisions of this chapter commits a Class D felony.

SECTION 6. Tennessee Code Annotated, Section 50-5-112, is amended by adding the following as a new subsection (d) and by renumbering the existing subsection (d) as subsection (e) accordingly:

(d) Any person who violates the provisions of Section 50-5-103 shall, at the discretion of the commissioner, be subject to a penalty of not less than one thousand dollars (\$1,000) nor more than ten thousand dollars (\$10,000). Each instance of a minor working in violation of the provisions of Section 50-5-103 shall constitute a separate violation.

SECTION 7. This act shall take effect July 1, 2001, the public welfare requiring it.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Baird moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Baird requested that Senate Bill No. 1672 be moved down 5 places on the Calendar, which motion failed.

Rep. Rhinehart moved that Senate Bill No. 1672 be reset for the Regular Calendar on May 30, 2001, which motion prevailed.

***House Bill No. 573** -- Courts, General Sessions - Provides that if there are multiple defendants or plaintiffs in case before general sessions court and one defendant or plaintiff appeals adverse decision, it is considered appeal by all defendants or plaintiffs and all are properly before circuit court. Amends TCA Title 16, Chapter 15 and Title 27, Chapter 5. by *Bunch. (SB857 by *Norris)

Further consideration of House Bill No. 573 previously considered on May 17, 2001, at which time it was reset for today's Calendar.

Rep. Bunch moved that House Bill No. 573 be reset for the Regular Calendar on May 30, 2001, which motion prevailed.

***House Bill No. 572** -- Education - Requires prior approval of general assembly before special education folders may be modified. Amends TCA Title 49, Chapter 10. by *Bunch, *Pleasant. (SB934 by *McNally)

Further consideration of House Bill No. 572 previously considered on May 17, 2001, at which time it was reset for today's Calendar.

Rep. Bunch moved that House Bill No. 572 be passed on third and final consideration.

Rep. Winningham moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 572 by deleting the amendatory language of Section 1 of the printed bill and by substituting instead the following:

(b) When a child is referred for assessment or evaluation of a possible disability, such assessment or evaluation must be done within sixty (60) working days from the date of the referral.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Bunch moved that **House Bill No. 572**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Hargrove -- 1.

A motion to reconsider was tabled.

House Bill No. 1126 -- Purchasing - Clarifies that exception to rule that commissioner must certify source of purchase goods applies to rules promulgated under general law provision authorizing such purchases without certification as well as to the specific general law provision; clarifies that rules must be promulgated in accordance with UAPA. Amends TCA Title 12. by *Head. (*SB893 by *Atchley)

Further consideration of House Bill No. 1126 previously considered on May 9, 2001 and May 17, 2001, at which time it was reset for today's Calendar.

Rep. Head moved that House Bill No. 1126 be passed on third and final consideration.

Rep. U. Jones moved to substitute State and Local Government Committee Amendment No. 1 with Amendment No. 6, which motion prevailed.

Rep. Head moved adoption of Amendment No. 6 as follows:

Amendment No. 6

AMEND House Bill No. 1126 by deleting all the language of the printed bill after the enacting clause and by substituting the following:

SECTION 1. Tennessee Code Annotated, Section 12-10-124, is hereby amended by deleting subsection (c) and substituting the following:

(c)(1) No authority shall contract for the construction of buildings or improvements, the expenditure for which is estimated, projected or budgeted to be in excess of ten thousand dollars (\$10,000) but less than one million dollars (\$1,000,000) except when such contract is made through a public advertisement and competitive bid process. Public advertisement shall be given at least ten (10) days in advance of accepting bids for such construction, and the authority shall award the contract to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation to bid.

(2) No authority shall contract for the construction of buildings or improvements, the expenditure for which is estimated, projected or budgeted to be one million dollars (\$1,000,000) or more except when such contract is made either (a) through a public advertisement and competitive bid process, (b) through a request for proposals process which includes minimum required qualifications, or (c) through a request for qualifications process which includes minimum required qualifications and a selection process pursuant to which multiple proposers are selected and pre-qualified to submit competitive bids. Public advertisement shall be given at least ten (10) days in advance of accepting bids or proposals for such construction. If the authority uses the competitive bid process, the authority shall award the contract to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation to bid.

If the authority uses the request for proposals process, the authority shall award the contract to the lowest responsible and responsive bidder who meets the minimum required qualifications. If the authority uses the request for qualifications process, the authority shall award the contract to the lowest pre-qualified bidder.

(3) The authority may reject any bid or proposal from a contractor who (a) at the time of the advertisement for bids or proposals, is a party to litigation or a contractual dispute with the authority or the municipality for which the authority is building or managing the project or (b) has defaulted on a contract with the authority or the municipality for which the authority is building or managing the project within the five (5) year period preceding the time of the advertisement for bids or proposals.

(4) Notwithstanding the foregoing provisions of subsection (c), contractual arrangements for construction delivery methods other than the competitive bid method, such as but not limited to the construction manager, construction manager at risk and design-build methods, or for remodeling and maintenance may be awarded by a request for proposals process as provided in subsection (d).

(d) The authority shall contract for all services, including construction management services and design-build services, through the process provided in subsection (c) or by a request-for-proposals process; provided, however, no such process shall be required if the authority contracts with a provider of any such service for a project who has been selected by a municipal corporation who is a contracting party or lessee with respect to such project through one of the processes described in subsection (c) or (d); and provided, further, this subsection shall not apply to the provision of services for which a letter of engagement or other arrangement has been entered into prior to the effective date hereof. The request-for-proposals process will invite prospective proposers and will indicate the service requirements and the categories to be considered in the evaluation of the proposals, together with the relative weight of each category. The categories shall include such factors as qualifications, experience, staff availability, technical approach, minority participation and cost, as determined appropriate by the authority. Proposers shall be given at least ten (10) days from public advertisement of the request for proposals to consider the evaluation factors set forth in the solicitation documents before submitting proposals. The contract shall be awarded to the best proposer, using the evaluation criteria set forth above, who meets the minimum required qualifications. Notwithstanding the foregoing provisions, contracts for professional services are not required to be awarded through a competitive bid process or a request-for-proposals process.

(e) No authority shall enter into a lease or lease-purchase agreement for land, buildings or leased premises which requires total lease payments or lease-purchase payments by the authority of ten thousand dollars (\$10,000) or greater, unless such agreement is made after competitive bids upon public advertisement or by a request-for-proposals process. A competitive bid process or request-for-proposals process is not required for an authority to enter into a lease or lease-purchase agreement with a municipal corporation, the state of Tennessee, the United States, or any agency, authority, branch, bureau, commission, corporation, department or instrumentality thereof.

(f) Nothing contained herein shall require the authority to accept any bid or proposal, and the authority may choose to reject all bids or proposals.

(g) An authority contracting with the state of Tennessee shall be subject to the same procurement procedures as though the project were being undertaken by the state of Tennessee unless the State Building Commission determines that a particular project should not be subject to the procurement procedures and includes a statement to that effect in the contract with the authority.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Armstrong requested that House Bill No. 1126 be moved to the heel of the Calendar.

***Senate Bill No. 40** — Sunset Laws - Judicial selection commission, June 30, 2007; limits members to two terms. Amends TCA Title 4, Chapter 29 and Title 17, Chapter 4. by *Harper. (HB1614 by *Kernell, *Brooks, *Cooper B)

Further consideration of Senate Bill No. 40 previously considered on May 16, 2001, May 17, 2001 and May 21, 2001, at which time the House placed Amendment(s) No(s). 1 and 2 at the heel of the Amendments, the House withdrew Amendment(s) No(s). 3, and reset the bill for today's Calendar.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

Rep. Brooks moved that Senate Bill No. 40 be passed on third and final consideration.

Rep. Davidson moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Davidson moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Davidson moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND Senate Bill No. 40 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 17-4-102, is amended by deleting from the first sentence of subsection (a) the language "fifteen (15)" and substituting instead the language "seventeen (17)".

SECTION _____. Tennessee Code Annotated, Section 17-4-102, is further amended by deleting the word "and" at the end of subsection (a)(4); by deleting the period at the end of subsection (a)(5) and substituting instead a semi-colon and the word "and"; and by adding the following language as a new subsection (a)(6):

(a)(6) Two (2) members who shall be lawyers but who shall not be nominated by a group.

SECTION _____. Tennessee Code Annotated, Section 17-4-102, is further amended by deleting from the first sentence of subsection (b)(1) the language "conference and one (1) of the nonlawyer members" and substituting instead the language "conference, one (1) of the nonlawyer members and one (1) of the lawyer members not nominated by a group".

SECTION _____. Tennessee Code Annotated, Section 17-4-102, is further amended by deleting from the second sentence of subsection (b)(1) the language "lawyers and one (1) of the nonlawyer members" and substituting instead the language "lawyers, one (1) of the nonlawyer members and one (1) of the lawyer members not nominated by a group".

SECTION _____. Tennessee Code Annotated, Section 17-4-102, is further amended by adding the following new subsection (e)(3):

(3) The initial term of the lawyer members not nominated by a group shall be for four (4) years.

On motion, Amendment No. 4 was adopted.

Rep. Brooks moved that **Senate Bill No. 40**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	0
Present and not voting	4

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Hargett, Hargrove, Head, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives present and not voting were: Bunch, Clem, Hagood, Harwell -- 4.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE May 23, 2001

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 348.

The Senate concurred in House Amendment(s) No(s). 2 and nonconcurred in House Amendment(s) No(s). 1.

RUSSELL A. HUMPHREY, Chief Clerk.

HOUSE ACTION ON SENATE AMENDMENTS

***Senate Bill No. 348** -- Taxes - Increases state sales tax by one-half cent effective July 1, 2001; repeals all state taxes effective July 1, 2003. Amends TCA Title 3; Title 4; Title 7; Title 8; Title 9; Title 11; Title 16; Title 18; Title 20; Title 29; Title 30; Title 31; Title 32; Title 35; Title 36; Title 38; Title 39; Title 40; Title 43; Title 45; Title 47; Title 48; Title 49; Title 50; Title 54; Title 55; Title 56; Title 57; Title 60; Title 61; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 70 and Title 71. by *Cooper J, *Clabough. (HB1778 by *Rinks, *Fitzhugh)

Rep. Rinks moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 1 to **Senate Bill No. 348**, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1383** -- Boards and Commissions - Authorizes division of health related boards and subordinate boards to use screening panels to filter complaints. Amends TCA Title 63 and Title 68. by *Hagood, *Boyer, *Pleasant. (SB1660 by *Rochelle, *Atchley)

Further consideration of House Bill No. 1383 previously considered on May 21, 2001, at which time the House adopted Amendment(s) No(s). 1 and 2 and reset the bill for today's Calendar.

Rep. Hagood moved that House Bill No. 1383, as amended, be passed on third and final consideration.

Rep. Hagood moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 1383 by deleting Section 2 in its entirety and by renumbering the remaining section appropriately.

On motion, Amendment No. 3 was adopted.

Rep. Hagood moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND House Bill No. 1383 by deleting subsection (c) in Section 1 and substituting the following:

(c) The screening panel has the authority to administer oaths to witnesses. Any documents or records produced at the screening panel shall be exempt from the public records act until there is a filing of a notice of charges and such documents or records form the basis for such filing of a notice of charges.

On motion, Amendment No. 4 was adopted.

Rep. J. DeBerry moved the previous question, which motion prevailed.

Rep. Hagood moved that **House Bill No. 1383**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	61
Noes	35
Present and not voting	1

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Clem, Cole (Carter), Cooper, Curtiss, Davis (Washington), Davis (Cocke), Dunn, Ford, Fowlkes, Fraley, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hood, Johnson, Jones S, Kent, Kernell, Langster, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Overbey, Patton, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Roach, Rowland, Sargent, Scroggs, Sharp, Shepard, Todd, Vincent, Walker, West, Westmoreland, Whitson, Wood -- 61.

Representatives voting no were: Armstrong, Bowers, Brooks, Brown, Chumney, Cole (Dyer), Davidson, DeBerry J, DeBerry L, Ferguson, Fitzhugh, Garrett, Givens, Jones U, Kisber, Lewis, Maddox, Miller, Odom, Phelan, Phillips, Rinks, Sands, Shaw, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), White, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 35.

Representatives present and not voting were: Head -- 1.

A motion to reconsider was tabled.

***Senate Bill No. 1291** -- Medical Occupations - Specifies that upon submission of application and appropriate fees, emergency medical services license to be issued if applicant is Tennessee resident, is employed by service operating in Tennessee, or is non-resident licensed in another state, in good standing, if applicant's state of residence grants same or similar reciprocity privileges to Tennessee residents licensed and in good standing. Amends TCA Title 68, Chapter 140, Part 5. by *Cooper J. (HB1339 by *Shepard)

Further consideration of Senate Bill No. 1291 previously considered on May 21, 2001, at which time the House substituted the Senate Bill for the House Bill, adopted Amendment(s) No(s). 1 and reset the bill for today's Calendar.

Rep. Shepard moved that **Senate Bill No. 1291**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	2
Present and not voting	2

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives voting no were: Brooks, DeBerry J -- 2.

Representatives present and not voting were: Brown, Chumney -- 2.

A motion to reconsider was tabled.

House Bill No. 2005 -- Williamson County - Subject to local approval, enacts "Williamson County Budget Act of 2001.". by *Williams (Williamson), *Sargent. (SB1967 by *Blackburn)

Further consideration of House Bill No. 2005 previously considered on May 21, 2001, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

Rep. Williams moved that **House Bill No. 2005** be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes	96
Noes	1
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood -- 96.

Representatives voting no were: Mr. Speaker Naifeh -- 1.

Representatives present and not voting were: Head -- 1.

A motion to reconsider was tabled.

***House Bill No. 1366** -- Commerce and Insurance, Dept. of - Increases business fees paid to department by insurance companies, insurance agents, HMOs, and automobile club or associations. Amends Tennessee Code Title 55, Chapter 18, Part 1, and Title 56, Chapters 2, 4, 6, 14, 32, and 35. by *Sargent. (SB1643 by *Atchley, *Clabough, *Henry)

Further consideration of House Bill No. 1366 previously considered on May 21, 2001, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

On motion, House Bill No. 1366 was made to conform with **Senate Bill No. 1643**; the Senate Bill was substituted for the House Bill.

Rep. Sargent moved that Senate Bill No. 1643 be passed on third and final consideration.

Rep. Ridgeway moved the previous question, which motion prevailed.

Rep. Sargent moved that **Senate Bill No. 1643** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	65
Noes	21
Present and not voting	5

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Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Black, Bone, Boyer, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Curtiss, Davis (Cocke), Dunn, Ferguson, Ford, Fraley, Givens, Godsey, Hagood, Hargett, Harwell, Head, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Lewis, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Shepard, Tindell, Todd, Vincent, Walker, Westmoreland, Whitson, Wood, Mr. Speaker Naifeh -- 65.

Representatives voting no were: Beavers, Chumney, Clem, Davidson, Fitzhugh, Fowlkes, Garrett, Goins, Hargrove, Maddox, Rowland, Shaw, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), West, White, Williams, Windle, Winningham -- 21.

Representatives present and not voting were: Bowers, Briley, Brooks, Brown, Tidwell -- 5.

A motion to reconsider was tabled.

House Bill No. 1598 -- Psychologists - Adds senior psychological examiner and certified psychological assistant as new levels of psychological practice for professional counselors, unauthorized practice of medicine, and insurance reimbursement. Amends TCA Title 33; Title 40; Title 56; Title 63 and Title 68. by *Arriola, *McDonald, *Lewis, *Shepard, *Overbey, *Odom, *Armstrong. (*SB1716 by *McNally, *Henry, *Cooper J)

On motion, House Bill No. 1598 was made to conform with **Senate Bill No. 1716**; the Senate Bill was substituted for the House Bill.

Rep. Arriola moved that Senate Bill No. 1716 be passed on third and final consideration.

On motion, Rep. Kisber withdrew Finance, Ways and Means Committee Amendment No. 1.

On motion, Rep. Kisber withdrew Finance, Ways and Means Committee Amendment No. 2.

Rep. Arriola moved that **Senate Bill No. 1716** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 1169 -- Hospitals and Health Care Facilities - Extends limitation on health facility commission through June 30, 2003, prohibiting issuance of certificates of need for new nursing home beds, including conversion of hospital beds and including conversion to swing beds; deletes refund provision. Amends TCA Section 68-11-122. by *McDaniel, *Walker . (*SB366 by *Cooper J)

Rep. McDaniel moved that **House Bill No. 1169** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes96
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 1170 -- Hospitals and Health Care Facilities - Extends annual nursing home tax for two years beginning on July 1, 2001; reduces tax to \$2,600 from \$3,250 beginning on July 1, 2001; deletes provision for reduction of tax based upon HCFA approval of intergovernmental transfer program. Amends TCA Title 68, Chapter 11, Part 2. by *McDaniel, *Walker . (*SB368 by *Cooper J)

Rep. McDaniel moved that **House Bill No. 1170** be passed on third and final consideration.

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Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1170 by deleting all the language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-11-216(d)(2), is amended by deleting the words "one (1) year beginning July 1, 2000" and replacing them with the words "two (2) years beginning July 1, 2001".

SECTION 2. Tennessee Code Annotated, Section 68-11-216(d)(2) is further amended by deleting in the last sentence, in both locations where it appears, the year "2000" and replacing it with the year "2001" and by deleting the in the last sentence the year "2001" and replacing it with the year "2003".

SECTION 3. Tennessee Code Annotated, Section 68-11-216(d)(3), is amended by deleting in the first sentence the words "July 1, 2000" and replacing it with the words "July 1, 2001, and on July 1, 2002" and further amended by deleting in the last sentence words "July, 2000" and replacing it with the words "July 1, 2001, and July 1, 2002".

SECTION 4. Tennessee Code Annotated, Section 68-11-216(d)(3), is amended by deleting the words "three thousand two hundred fifty dollars (\$3,250)" and replacing it with the words "two thousand six hundred dollars (\$2,600)".

SECTION 5. Tennessee Code Annotated, Section 68-11-216(d)(10) is amended by deleting the date "July 15, 2000" and replacing it with the date "July 15, 2001".

SECTION 6. Tennessee Code Annotated, Section 68-11-216(d)(11), is amended by deleting the last sentence in its entirety.

SECTION 7. Tennessee Code Annotated, Section 68-11-216(d)(12), is amended by deleting the date "June 30, 2001" and replacing it with the date "June 30, 2003".

SECTION 8. Tennessee Code Annotated, Section 68-11-830(d)(2)(B) is amended by deleting the date "July 15, 2001" and replacing it with the date "July 15, 2003" and Tennessee Code Annotated, Section 68-11-830(d)(10) is amended by deleting the date "June 30, 2001" and replacing it with the date "July 15, 2003".

SECTION 9. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

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SECTION 10. This act shall take effect July 1, 2001, the public welfare requiring it.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Arriola moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. McDaniel moved that **House Bill No. 1170**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	5
Present and not voting	2

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: Beavers, Garrett, Harwell, West, Windle -- 5.

Representatives present and not voting were: Bunch, Rowland -- 2.

A motion to reconsider was tabled.

***House Bill No. 583** -- Abuse - Creates pilot in county of over 825,000 population to establish child protective system ; requires department of mental health and developmental disabilities to establish pilot mental health court. Amends TCA Title 9; Title 33 and Title 37. by *Chumney. (SB871 by *Dixon)

Rep. Chumney requested that House Bill No. 583 be moved to the heel of the Calendar.

House Bill No. 931 -- Sunset Laws - Department of human services, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Kernell, *Brooks, *Cooper B. (*SB60 by *Harper)

On motion, House Bill No. 931 was made to conform with **Senate Bill No. 60**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that Senate Bill No. 60 be passed on third and final consideration.

On motion, Rep. Brooks withdrew Government Operations Committee Amendment No. 1.

Rep. Kernell moved that **Senate Bill No. 60** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 1618 -- Sunset Laws - Human rights commission, June 30, 2007. Amends TCA Title 4, Chapter 21 and Title 4, Chapter 29. by *Kernell, *Cooper B. (*SB120 by *Harper)

Rep. Kernell moved that House Bill No. 1618 be passed on third and final consideration.

Rep. Brooks moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1618 By deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-221(a), is amended by deleting item (25) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 4-29-224(a), is amended by adding a new item thereto, as follows:

() Human rights commission, created by Section 4-21-201;

SECTION 3. This act shall take effect July 1, 2001, the public welfare requiring it.

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Westmoreland moved the previous question, which motion prevailed.

Rep. Kernell moved that **House Bill No. 1618**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 1492** -- Dentists - Revises board of dentistry to delete surgeon member and add dentist member instead; authorizes board to set fees and civil penalties; authorizes board to assess punishment of dental practitioners who are disciplined by another state for violations of dentistry standards. Amends TCA Title 63, Chapter 5. by *McMillan. (SB1771 by *Person)

On motion, House Bill No. 1492 was made to conform with **Senate Bill No. 1771**; the Senate Bill was substituted for the House Bill.

Rep. McMillan moved that **Senate Bill No. 1771** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives present and not voting were: Tidwell -- 1.

A motion to reconsider was tabled.

House Bill No. 1765 -- Health Care - Expands regulations and requirements to operate body piercing establishment. Amends TCA Title 62. by *McMillan. (*SB1761 by *Kurita, *Rochelle)

On motion, House Bill No. 1765 was made to conform with **Senate Bill No. 1761**; the Senate Bill was substituted for the House Bill.

Rep. McMillan moved that Senate Bill No. 1761 be passed on third and final consideration.

On motion, Rep. Armstrong withdrew Health and Human Resources Committee Amendment No. 1.

Rep. McMillan moved that **Senate Bill No. 1761** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 1126 -- Purchasing - Clarifies that exception to rule that commissioner must certify source of purchase goods applies to rules promulgated under general law provision authorizing such purchases without certification as well as to the specific general law provision; clarifies that rules must be promulgated in accordance with UAPA. Amends TCA Title 12. by *Head. (*SB893 by *Atchley)

Further consideration of House Bill No. 1126 previously considered on today's Calendar at which time the House was on the motion to adopt Amendment No. 6.

Rep. Head moved that House Bill No. 1126 be passed on third and final consideration.

On motion, Amendment No. 6 was adopted.

Rep. Garrett moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 1126 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____.

(a) Notwithstanding any provision of law to the contrary, the commissioner of environment and conservation has the authority to cause to be purchased and to develop the method for purchasing without the approval of any other agency of state government, raw materials, merchandise for resale, supplies and equipment necessary for the providing of quality services for state park operations.

(b) It is the responsibility of the commissioner of environment and conservation to develop policies and procedures to ensure, to the extent practicable, that purchases made on behalf of park operations are at the lowest possible price while at the same time ensuring quality and timely delivery. The commissioner shall file such policies and procedures with the board of standards for the board's review and approval.

(c) The commissioner has the authority to purchase supplies and equipment through the department of general services and is encouraged to exercise the option to purchase through the department under the provisions of Title 12, Chapter 3, in circumstances which are advantageous for the timely delivery of low cost, quality products.

(d) For the purposes of this section, "park operations" meaning the following facilities at state parks: inns, cabins, restaurants, golf courses, gift shops, marinas, snack bars, and vending machines.

SECTION 2. The comptroller of the treasury is directed to report to the general assembly no later than February 1, 2003, on the success or failure of the state park operations. Such report shall determine if cost-savings have resulted from the enactment and implementation of this act. Such report shall also determine if the state park operations' costs and expenditures and rates charged consumers meet industry standards for facilities at state parks, inns, cabins, restaurants, golf courses, gift shops, marinas, snack bars, and vending machines. Such determination shall include and allocate any expenditures for equipment, services or capital outlay that are provided directly or indirectly to state park operations.

SECTION 3. The provisions of this act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Garrett moved adoption of Amendment No. 1 to Amendment No. 2 as follows:

Amendment No. 1 to 2

AMEND House Bill No. 1126 By deleting the word "meaning" in subsection (d) of the amendatory section in Section 1 and by substituting instead the word "means".

And further amend by deleting the words "state park operations" in the first sentence of Section 2 and by substituting instead the words "purchasing authority".

On motion, Amendment No. 1 to Amendment No. 2 was adopted.

Rep. Boyer moved the previous question on Amendment No. 2 as amended, which motion prevailed by the following vote:

Ayes	71
Noes	16
Present and not voting	1

Representatives voting aye were: Armstrong, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Buck, Bunch, Buttry, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Harwell, Head, Hood, Johnson, Kent, Kisber, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Wood, Mr. Speaker Naifeh -- 71.

Representatives voting no were: Bowers, Brooks, Brown, Chumney, Davis (Washington), DeBerry J, DeBerry L, Dunn, Jones S, Jones U, Langster, Miller, Pruitt, Turner (Hamilton), Turner (Shelby), Winningham -- 16.

Representatives present and not voting were: Kernell -- 1.

Rep. Garrett moved that Amendment No. 2 as amended, be adopted, which motion prevailed by the following vote:

Ayes	84
Noes	12

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 84.

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Representatives voting no were: Armstrong, Bowers, Brooks, Brown, Chumney, DeBerry J, Jones U, Miller, Pruitt, Shaw, Turner (Hamilton), Turner (Shelby) -- 12.

A motion to reconsider was tabled.

Rep. Overbey moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 1126 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The provisions of this act shall not apply in any county having a population of not less than one hundred five thousand eight hundred (105,800) nor more than one hundred five thousand nine hundred (105,900) according to the 2000 federal census or any subsequent federal census.

Rep. Head moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes	57
Noes	26
Present and not voting	8

Representatives voting aye were: Arriola, Bone, Briley, Brooks, Buck, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry L, Ferguson, Fitzhugh, Fowlkes, Fraley, Garrett, Givens, Hargrove, Head, Hood, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McDaniel, McDonald, McKee, McMillan, Miller, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Shaw, Shepard, Tidwell, Todd, Towns, Turner (Shelby), Turner (Davidson), Walker, Westmoreland, White, Whitson, Williams, Winingham, Mr. Speaker Naifeh -- 57.

Representatives voting no were: Armstrong, Baird, Boyer, Bunch, Buttry, Chumney, Clem, Davis (Washington), Dunn, Ford, Godsey, Goins, Hagood, Hargett, Harwell, Johnson, McCord, Montgomery, Mumpower, Overbey, Rowland, Sharp, Turner (Hamilton), Vincent, Windle, Wood -- 26.

Representatives present and not voting were: Bittle, Black, Bowers, Pleasant, Sargent, Scroggs, Tindell, West -- 8.

Rep. Turner (Davidson) moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. U. Jones moved that Amendment No. 5 be withdrawn, which motion prevailed.

Rep. Brooks moved adoption of Amendment No. 7 as follows:

Amendment No. 7

AMEND House Bill No. 1126 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. No expenditure of public funds pursuant to this act shall be made in violation of the provisions of Title VI of the Civil Rights Act of 1964, as codified in 42 United States Code 2000(d).

On motion, Amendment No. 7 was adopted.

Rep. Head moved that **House Bill No. 1126**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	4
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Harwell, Head, Hood, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh – 90.

Representatives voting no were: Brown, Johnson, McCord, Overbey -- 4.

Representatives present and not voting were: Bunch -- 1.

A motion to reconsider was tabled.

***House Bill No. 583** -- Abuse - Creates pilot in county of over 825,000 population to establish child protective system ; requires department of mental health and developmental disabilities to establish pilot mental health court. Amends TCA Title 9; Title 33 and Title 37. by *Chumney. (SB871 by *Dixon)

Further consideration of House Bill No. 583 previously considered on today's Calendar.

On motion, House Bill No. 583 was made to conform with **Senate Bill No. 871**; the Senate Bill was substituted for the House Bill.

Rep. Chumney moved that Senate Bill No. 871 be passed on third and final consideration.

On motion, Rep. Armstrong withdrew Health and Human Resources Committee Amendment No. 1.

Rep. Chumney moved that Senate Bill No. 871 be reset for the Regular Calendar on May 24, 2001, which motion prevailed.

UNFINISHED BUSINESS

MOTION TO RECONSIDER

Rep. Rhinehart moved to lift from the table the motion to reconsider action in passing Senate Bill No. 527, which motion prevailed.

***Senate Bill No. 527** -- Pharmacy, Pharmacists - Provides for recoupment of payments made by health insurers and HMOs, including those participating in TennCare Program, to pharmacy services providers for care delivered to covered beneficiaries, insureds, or enrollees. Amends TCA Title 56 and Title 71. by *McNally, *Jackson. (HB542 by *Rhinehart, *Shepard, *Godsey, *Mumpower, *Sargent, *Roach)

Rep. Rhinehart moved to reconsider action in passing Senate Bill No. 527, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendment(s) No(s). 5. On motion, Amendment(s) No(s). 5 was withdrawn.

Rep. Rhinehart moved that **Senate Bill No. 527** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Supplemental Consent Calendar for May 23, 2001:

House Resolution No. 125 -- Memorials, Interns - Bharath Subramanian. by *Kernell.

House Resolution No. 126 -- Memorials, Interns - Michelle Zisson. by *Kernell, *Towns.

House Resolution No. 127 -- Memorials, Interns - Chris Davis. by *Shaw.

House Resolution No. 124 -- Memorials, Personal Occasion - Parmenas Cox, 90th birthday. by *Fowlkes, *Hood.

House Joint Resolution No. 433 -- Memorials, Interns - Emily D. Potts. by *Kisber, *Head, *Cole (Dyer).

House Joint Resolution No. 435 -- Memorials, Interns - Marta Anderson. by *McMillan, *Buck, *Sands.

House Joint Resolution No. 440 -- Memorials, Interns - Amber Hope Moore. by *Givens, *Bowers, *Bone.

House Joint Resolution No. 442 -- Memorials, Interns - Angela Brooke Hocker. by *Phillips, *Miller L, *Fitzhugh.

House Joint Resolution No. 443 -- Memorials, Interns - Thomas Allen Archer. by *Phillips, *Fitzhugh, *Miller L.

House Joint Resolution No. 444 -- Memorials, Interns - Michael Wall. by *Head, *Cole (Dyer).

House Joint Resolution No. 445 -- Memorials, Interns - Nikita Nicole Lamar. by *Langster, *Jones U (Shelby), *Tindell.

House Joint Resolution No. 450 -- Memorials, Interns - Kevin S. Latta. by *Rowland.

House Joint Resolution No. 446 -- Memorials, Interns - Mia Evans. by *Ridgeway, *White, *Fowlkes.

House Joint Resolution No. 447 -- Memorials, Interns - Desinda April Whitehead. by *Chumney, *DeBerry J, *Maddox.

House Joint Resolution No. 448 -- Memorials, Interns - David Austin Pair. by *Maddox, *DeBerry J.

House Joint Resolution No. 449 -- Memorials, Interns - Christie Elizabeth Johnston. by *Chumney, *DeBerry J, *Maddox.

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House Joint Resolution No. 451 -- Memorials, Interns - Bryn Frances Laiolo. by *Bittle, *Hagood.

House Joint Resolution No. 464 -- Memorials, Interns - Kevin Charles Krushenski. by *Davidson.

House Joint Resolution No. 465 -- Memorials, Interns - John Richard McPeak. by *Pleasant, *Wood.

House Joint Resolution No. 466 -- Memorials, Interns - Erina Marie Hughes. by *McDaniel.

House Joint Resolution No. 467 -- Memorials, Interns - Christopher Andrew Wilson. by *West, *Jones, S., *Turner (Shelby).

House Joint Resolution No. 452 -- Memorials, Personal Occasion - Howard and Louise Young, 50th anniversary. by *Winningham.

House Joint Resolution No. 453 -- Memorials, Academic Achievement - Christian Eddie, Valedictorian, Mt. Juliet Christian Academy. by *Bone, *Beavers.

House Joint Resolution No. 454 -- Memorials, Academic Achievement - Rachel Walker, Salutatorian, Mt. Juliet Christian Academy. by *Bone, *Beavers.

House Joint Resolution No. 455 -- Memorials, Academic Achievement - Clint Shipper, Salutatorian, Watertown High School. by *Bone, *Beavers.

House Joint Resolution No. 456 -- Memorials, Academic Achievement - Mary Jo Kilzer, Valedictorian, Watertown High School. by *Bone, *Beavers.

House Joint Resolution No. 457 -- Memorials, Academic Achievement - Derek Scott Rabe, Valedictorian, Lebanon High School. by *Bone, *Beavers.

House Joint Resolution No. 458 -- Memorials, Academic Achievement - Cynthia Lynn Davidson, Salutatorian, Lebanon High School. by *Bone, *Beavers.

House Joint Resolution No. 459 -- Memorials, Academic Achievement - Carrie Hunter, Salutatorian, Mt. Juliet High School. by *Bone, *Beavers.

House Joint Resolution No. 461 -- Memorials, Academic Achievement - Stefanie Wuenscher, Valedictorian, Friendship Christian School. by *Bone, *Beavers.

House Joint Resolution No. 462 -- Memorials, Academic Achievement - Annmarie Floyd, Salutatorian, Friendship Christian School. by *Bone, *Beavers.

House Joint Resolution No. 463 -- Memorials, Academic Achievement - Stephanie Geary, Valedictorian, Mt. Juliet High School. by *Bone, *Beavers.

House Joint Resolution No. 468 -- Memorials, Congratulations - Arnold Engineering Development Center, Arnold Air Force Base. by *Lewis, *Fraleigh, *Phillips.

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House Joint Resolution No. 469 -- Memorials, Professional Achievement - Minnie Miller, 2001 ETSU Distinguished Alumna in Education. by *Mumpower.

House Joint Resolution No. 470 -- Memorials, Academic Achievement - Landon Davis, Valedictorian, Cumberland County High School. by *Walker .

House Joint Resolution No. 471 -- Memorials, Academic Achievement - Nathan Kokes, Salutatorian, Cumberland County High School. by *Walker .

House Joint Resolution No. 472 -- Memorials, Recognition - Ardent Gardeners Garden Club, 50th anniversary. by *Langster, *Naifeh, *DeBerry L, *Pruitt, *Arriola, *Rinks, *Garrett, *Briley, *Jones, S..

House Joint Resolution No. 473 -- Memorials, Public Service - Sue S. Walker. by *Hagood, *Dunn, *Boyer, *Bittle, *Buttry, *Armstrong, *Tidwell.

SUPPLEMENTAL CONSENT CALENDAR

House Resolution No. 125 -- Memorials, Interns - Bharath Subramanian. by *Kernell.

House Resolution No. 126 -- Memorials, Interns - Michelle Zisson. by *Kernell, *Towns.

House Resolution No. 127 -- Memorials, Interns - Chris Davis. by *Shaw.

House Joint Resolution No. 433 -- Memorials, Interns - Emily D. Potts. by *Kisber, *Head, *Cole (Dyer).

House Joint Resolution No. 435 -- Memorials, Interns - Marta Anderson. by *McMillan, *Buck, *Sands.

House Joint Resolution No. 440 -- Memorials, Interns - Amber Hope Moore. by *Givens, *Bowers, *Bone.

House Joint Resolution No. 442 -- Memorials, Interns - Angela Brooke Hocker. by *Phillips, *Miller L, *Fitzhugh.

House Joint Resolution No. 443 -- Memorials, Interns - Thomas Allen Archer. by *Phillips, *Fitzhugh, *Miller L.

House Joint Resolution No. 444 -- Memorials, Interns - Michael Wall. by *Head, *Cole (Dyer).

House Joint Resolution No. 450 -- Memorials, Interns - Kevin S. Latta. by *Rowland.

House Joint Resolution No. 445 -- Memorials, Interns - Nikita Nicole Lamar. by *Langster, *Jones U (Shelby), *Tindell.

House Joint Resolution No. 446 -- Memorials, Interns - Mia Evans. by *Ridgeway, *White, *Fowlkes.

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House Joint Resolution No. 447 -- Memorials, Interns - Desinda April Whitehead. by *Chumney, *DeBerry J, *Maddox.

House Joint Resolution No. 448 -- Memorials, Interns - David Austin Pair. by *Maddox, *DeBerry J.

House Joint Resolution No. 449 -- Memorials, Interns - Christie Elizabeth Johnston. by *Chumney, *DeBerry J, *Maddox.

House Joint Resolution No. 451 -- Memorials, Interns - Bryn Frances Laiolo. by *Bittle, *Hagood.

House Joint Resolution No. 464 -- Memorials, Interns - Kevin Charles Krushenski. by *Davidson.

House Joint Resolution No. 465 -- Memorials, Interns - John Richard McPeak. by *Pleasant, *Wood.

House Joint Resolution No. 466 -- Memorials, Interns - Erina Marie Hughes. by *McDaniel.

House Joint Resolution No. 467 -- Memorials, Interns - Christopher Andrew Wilson. by *West, *Jones, S., *Turner (Shelby).

House Resolution No. 124 -- Memorials, Personal Occasion - Parmenas Cox, 90th birthday. by *Fowlkes, *Hood.

House Joint Resolution No. 452 -- Memorials, Personal Occasion - Howard and Louise Young, 50th anniversary. by *Winningham.

House Joint Resolution No. 453 -- Memorials, Academic Achievement - Christan Eddie, Valedictorian, Mt. Juliet Christian Academy. by *Bone, *Beavers.

House Joint Resolution No. 454 -- Memorials, Academic Achievement - Rachel Walker, Salutatorian, Mt. Juliet Christian Academy. by *Bone, *Beavers.

House Joint Resolution No. 455 -- Memorials, Academic Achievement - Clint Shipper, Salutatorian, Watertown High School. by *Bone, *Beavers.

House Joint Resolution No. 456 -- Memorials, Academic Achievement - Mary Jo Kilzer, Valedictorian, Watertown High School. by *Bone, *Beavers.

House Joint Resolution No. 457 -- Memorials, Academic Achievement - Derek Scott Rabe, Valedictorian, Lebanon High School. by *Bone, *Beavers.

House Joint Resolution No. 458 -- Memorials, Academic Achievement - Cynthia Lynn Davidson, Salutatorian, Lebanon High School. by *Bone, *Beavers.

House Joint Resolution No. 459 -- Memorials, Academic Achievement - Carrie Hunter, Salutatorian, Mt. Juliet High School. by *Bone, *Beavers.

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House Joint Resolution No. 461 -- Memorials, Academic Achievement - Stefanie Wuenschel, Valedictorian, Friendship Christian School. by *Bone, *Beavers.

House Joint Resolution No. 462 -- Memorials, Academic Achievement - Annmarie Floyd, Salutatorian, Friendship Christian School. by *Bone, *Beavers.

House Joint Resolution No. 463 -- Memorials, Academic Achievement - Stephanie Geary, Valedictorian, Mt. Juliet High School. by *Bone, *Beavers.

House Joint Resolution No. 468 -- Memorials, Congratulations - Arnold Engineering Development Center, Arnold Air Force Base. by *Lewis, *Fraleigh, *Phillips.

House Joint Resolution No. 469 -- Memorials, Professional Achievement - Minnie Miller, 2001 ETSU Distinguished Alumna in Education. by *Mumpower.

House Joint Resolution No. 470 -- Memorials, Academic Achievement - Landon Davis, Valedictorian, Cumberland County High School. by *Walker.

House Joint Resolution No. 471 -- Memorials, Academic Achievement - Nathan Kokes, Salutatorian, Cumberland County High School. by *Walker.

House Joint Resolution No. 472 -- Memorials, Recognition - Ardent Gardeners Garden Club, 50th anniversary. by *Langster, *Naifeh, *DeBerry L, *Pruitt, *Arriola, *Rinks, *Garrett, *Briley, *Jones, S..

House Joint Resolution No. 473 -- Memorials, Public Service - Sue S. Walker. by *Hagood, *Dunn, *Boyer, *Bittle, *Buttry, *Armstrong, *Tidwell.

Rep. Langster moved that all members voting aye on House Joint Resolution No. 472 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Supplemental Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Supplemental Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	98
Noes	0

WEDNESDAY, MAY 23, 2001 – FORTY-SECOND LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1184: Rep(s). Briley, Newton, Boyer and Scroggs as prime sponsor(s).

House Bill No. 1466: Rep(s). Turner (Davidson) as prime sponsor(s).

House Bill No. 1548: Rep(s). Buck as prime sponsor(s).

House Bill No. 1555: Rep(s). McMillan, Buck, Sands, Briley, Newton, Boyer and Scroggs as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Whitson was/were removed as sponsor(s) of **House Joint Resolution No. 434**.

On motion, Rep(s). Clem was/were removed as sponsor(s) of **House Bill No. 1396**.

REPORT OF DELAYED BILLS COMMITTEE May 23, 2001

Pursuant to **Rule No. 77**, we the undersigned members of the Delayed Bills Committee have approved the following bill(s) to be introduced: House Bill(s) No(s). 2018.

Jimmy Naifeh, Speaker
Gene Davidson
Steve McDaniel

ENGROSSED BILLS

May 23, 2001

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2015, also, House Joint Resolution(s) No(s). 52, 436, 437, 438 and 439.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 23, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 680.

2. The Senate refused to recede from its action in adopting Senate Amendment(s) No(s).

The Speaker appointed a Conference Committee composed of Senators Person, Jackson and Trail to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 680.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

May 23, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 799.

2. The Senate refused to recede from its action in adopting Senate Amendment(s) No(s).

The Speaker appointed a Conference Committee composed of Senators Rochelle, Herron and McNally to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 799.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

May 23, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 354; adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Joint Resolution No. 354 -- Memorials, Death - Ann Campion Beneke. by *Cohen.

**MESSAGE FROM THE GOVERNOR
May 23, 2001**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 376 and 441, with his approval.

JAY BALLARD, Counsel to the Governor.

**MESSAGE FROM THE SENATE
May 23, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 545; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE
May 23, 2001**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 398 and 399; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE
May 23, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1235; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**ENGROSSED BILLS
May 23, 2001**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 572, 1383 and 2005.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
May 23, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1383; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

May 23, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 110; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

ENGROSSED BILLS

May 23, 2001

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 1169 and 1170.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS

May 23, 2001

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 1126, also, House Joint Resolution(s) No(s). 433, 435, 440, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472 and 473.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 23, 2001

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 92.

The Senate nonconcurred in House Amendment(s) No(s). 2.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE GOVERNOR

May 23, 2001

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 252, 257, 289, 331, 389, 581, 604, 700, 705, 818, 869, 898, 912, 914, 984, 1136, 1202, 1234, 1289, 1372, 1382, 1387, 1469, 1482, 1517, 1529, 1562, 1576, 1607, 1633, 1703, 1721, also, House Joint Resolution(s) No(s). 332; with his approval.

JAY BALLARD, Counsel to the Governor.

MESSAGE FROM THE SENATE

May 23, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 218, 293, 569, 774, 867, 907, 983, 1140 and 1959; all passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Bill No. 218** -- Education - Provides for grant program, subject to appropriation of funds, to be administered by commissioner of education for purchase of home computers for use of school-aged children. by *Dixon. (HB1044 by *Armstrong, *DeBerry L, *Jones U (Shelby), *Cooper B, *Turner (Shelby), *Miller L)

Senate Bill No. 293 -- Victims' Rights - Enacts "Victim Specialist Certification Act." Amends TCA Title 40, Chapter 38. by *Davis L, *Burks. (*HB301 by *McMillan)

Senate Bill No. 569 -- Mental Illness - Decreases from ten to five days time in which court hospitalizing patient in mental health facility must be notified if such patient dies. Amends TCA Title 33. by *Crutchfield. (*HB69 by *Buck, *Odom)

Senate Bill No. 774 -- Children - Establishes procedure for parents to surrender unwanted infants to hospital or emergency care provider; ensures immunity from criminal prosecution to parents acting in accord with this act; establishes community and school education program regarding child-care, pregnancy, and services available for parents Amends TCA Section 34-11-103; Title 36; Title 37; Section 63-6-218 and Title 68. by *Harper, *Kyle, *Clabough, *Williams. (*HB474 by *Maddox, *Boyer, *McCord, *Bunch, *Overbey, *Jones, S., *Pruitt, *Black, *Langster, *Brooks)

Senate Bill No. 867 -- Foster Care - Adds 90 day due date for individual foster care plans required for children under supervision of contract agency. Amends TCA Title 71. by *Atchley. (*HB8 by *Odom)

Senate Bill No. 907 -- Public Health - Enacts "Education and Prevention Program for Hepatitis C Act." by *Dixon. (*HB605 by *DeBerry L, *Armstrong, *Ferguson)

***Senate Bill No. 983** -- Tort Liability - Confers civil and criminal immunity upon persons in occupational classifications that are required to report suspected child abuse and confers civil and criminal immunity on others reporting child abuse if reported in good faith and reporter is not perpetrator of abuse. Amends TCA Title 37, Chapter 1, Part 4. by *Haynes, *Person, *Jackson, *Dixon, *Burks. (HB817 by *McMillan, *Caldwell, *Buttry, *Newton, *Windle, *Pruitt, *Fowlkes, *Briley, *Sands, *Jones, S., *Arriola, *Odom, *Brown, *Langster)

Senate Bill No. 1140 -- Administrative Procedure (UAPA) - Requires that all mandatory instructions and payment methodology for service providers used by department of mental health and developmental disabilities shall be promulgated as UAPA rules and be consistent among same classes of providers. Amends TCA Title 33. by *Herron, *Fowler. (*HB466 by *Maddox, *Kisber, *Fitzhugh)

Senate Bill No. 1959 -- Education - Allows accumulated or allocated "snow days" to be applied toward closings due to outbreaks of illness or epidemics. Amends TCA Section 49-6-3004. by *Burchett, *McNally, *Burks, *Blackburn, *Davis L, *Williams. (*HB1993 by *Hagood, *McDaniel)

ROLL CALL

The roll call was taken with the following results:

Present.....96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Washington), Davis (Cocke), DeBerry J, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

RECESS MOTION

On motion of Rep. Davidson, the House stood in recess until 9:00 a.m., Thursday, May 24, 2001.